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Application GRANTED, except as to Mr. de Jongh's request for an enlargement of the page limit. Since this opposition will be submitted on behalf of only one defendant, the Court is not persuaded that additional pages are warranted.

Hon. Arun Subramanian
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

The Clerk of Court is directed to terminate the motion at Dkt. 108.

SO ORDERED.

Arun Subramanian, U.S.D.J.

Date: May 20, 2024

Re: *Does 1-6 vs. Gov. John de Jongh [Jr.], et al.*, 1:23-cv-10301-AS

Dear Judge Subramanian:

I write on behalf of defendant Governor John de Jongh [Jr.] to respectfully request (1) a 30-day extension of the time to respond to Plaintiffs' Second Amended Complaint ["SAC"] [ECF # 103]; (2) enlargement of the page limits and leave to submit a 35-page Memorandum of Law in support of any Motion to Dismiss; and (3) leave to submit charts organizing the 351 paragraphs in the SAC without such charts counting against the enlarged page limits.

PLAINTIFFS DO NOT OPPOSE DEFENDANT'S REQUEST

Plaintiffs' counsel has advised defense counsel that plaintiffs do not oppose the extension of time or the enlargement of page limits (defendant did not ask about #3, the charts). Plaintiffs' counsel has asked that in return, we consent to a reciprocal 21-day extension for Plaintiffs' response. Mr. de Jongh, Jr. consents to that 21-day extension request.

SAC: LENGTH, COMPLEXITY, NEW COUNTS JUSTIFY EXTENSION, ENLARGEMENT OF PAGE LIMITS

The 2/13/2023 First Amended Complaint ["FAC"] [ECF # 7] consisted of 48 pages and 225 paragraphs. The 05/13/2024 SAC now consists of 82 pages (171% increase) and 351 paragraphs (156% increase). Plaintiffs now assert claims "against the individual Defendants, except Cecile de Jongh in their individual and official capacities," have added an obstruction claim under the Trafficking Victims Protection Reauthorization Act ("TVPRA") and a claim under the Racketeer Influenced and Corrupt Organizations Act ("RICO").

This case "deals with complex issues under the TVPRA." *Doe S.W. v. Lorain-Elyria Motel*, 2020 WL 11885927, *5 (S.D. Ohio 2020). Now, the SAC has injected "the relatively complex legal issues involved in civil RICO claims..." *Miltland Raleigh-Durham v. Myers*, 840 F.Supp. 235, 240 (SDNY 1993). Mr. de Jongh respectfully submits that the sheer length of the SAC, the numerous counts, and the "legal complexity of the issues [] justif[ies] extending the page limits" of a responsive motion. *Frederick v. Fed.-Mogul*, 2008 WL 4372635, *3 (E.D. Mich. 2008) ("the legal complexity of the issues may justify extending the page limits"); *Exact Software*

v. Infocon, 2008 WL 820083, *1 (N.D.Ohio 2008) (“Some motions require extended presentation...”).

REQUEST TO SUBMIT CHART OF SAC ALLEGATIONS

Pursuant to this Court’s Individual Practices Rule 8.G., defendant will file nonargumentative charts identifying each cause of action alleged in the SAC, and for each cause of action alleged the elements not plausibly pleaded in the SAC. In addition, defense counsel seeks advance leave of the Court to also submit non-argumentative charts organizing certain of the 351 allegations for the Court’s quick reference. Just by way of example below, a chart will organize the specific allegations of assault by the alleged locations.

	Jane Doe	Allegations	Location of Assault
303	Jane Doe 1	“Jane Doe 1 was sexually abused, forced to engage in commercial sex acts, and trafficked by Epstein and his co-conspirators from 2001 to 2019 in New York, Florida, USVI, and around the world.”	“New York, Florida, USVI, <i>and around the world.</i> ”
304	Jane Doe 2	“Jane Doe 2 was sexually abused, forced to engage in commercial sex acts, and trafficked by Epstein and his co-conspirators from 2015 to 2019 in New York, Florida, USVI, and around the world.”	“New York, Florida, USVI, <i>and around the world.</i> ”

The undersigned also recognizes that declarations and attachments are not a vehicle to circumvent page limitations. *Clark v. Kitt*, No. 12–CV–8061, 2014 WL 4054284, *7 (SDNY 2014). The charts will not advance averments or legal arguments, but rather just collect and organize the plaintiffs’ own allegations (and data about them) for reference. Mr. de Jongh respectfully asks for advance leave to submit these charts, and for them to not count against Mr. de Jongh’s page limits.

CURRENT COURT DATES

The deadline for Defendants’ response is currently set for 6/3/2024. The next court appearance is 7/31/2024 at 1:00 p.m. This is Mr. de Jongh’s first request for an extension of the deadline. A proposed form letter endorsement order follows on the next page.

By: 
Daniel L. Cevallos

AFFIRMATION OF SERVICE

The undersigned hereby affirms that on **May 18, 2024**, a copy of the foregoing was uploaded to the Court via CM-ECF, which will send a notice of electronic filing to all parties of record.

By: 
Daniel L. Cevallos

